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Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Secretary-General on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Letter dated 6 February 2006 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have been requested by the Member States of the Group of 77 and China to bring to your attention their concerns with regard to recent statements and briefings by senior officials of the Secretariat to the media. You will recall that this is not the first time that the Group is raising this matter with you and that similar concerns were expressed in its letter dated 6 October 2005 addressed to you.

The Group of 77 and China also expressed these concerns with the Deputy Secretary-General on 30 January 2006 when she provided the informal working group of the plenary on Secretariat and management reform with a report on the status of the exercise to review the staff and financial policies, regulations and rules. On that occasion, the Group of 77 and China made it clear that the recent trend of senior Secretariat officials bypassing the General Assembly and briefing the press on matters pertaining to the work of the Organization, in particular regarding allegations of mismanagement, fraud and corruption, was not helpful and undermined the oversight role of Member States and the Assembly. It was counterproductive to our efforts to ensure trust and an open channel of communication between Member States and the Secretariat.

The Group of 77 and China take all allegations of abuse, fraud and mismanagement in the Secretariat with the utmost seriousness. It is for this reason that the Group had proposed that the Office of Internal Oversight Services undertake, as a matter of priority, a comprehensive audit report to review the practices of the Department of Peacekeeping Operations and identify areas of risk and exposure to fraud and abuse of authority in the operational areas, including those relating to procurement. This proposal was later adopted through consensus by

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the entire membership of the Fifth Committee and was reflected in General Assembly resolution 59/296.

However, the recent comments to the media by a senior Secretariat official about the contents of the draft audit report of the Office of Internal Oversight Services, even before the report was brought to the attention of the General Assembly, raises serious questions about the propriety in the conduct and impartiality of some Secretariat officials. It was also done without due regard for intergovernmental processes or the reputation of the United Nations. Such actions, in our view, are a clear contravention of the staff rules and regulations of the Organization and the provisions of the Charter of the United Nations, which require the staff of the Secretariat, regardless of their seniority and nationality, to be politically neutral and refrain from any action inconsistent with their status as international civil servants responsible to the Organization.

The Group of 77 and China wish to urge you to take the necessary measures to ensure that the officials concerned respect the regulations and rules and desist from such practices with immediate effect.

We further wish to unequivocally state that accountability within the United Nations should not be applied in a selective manner and that all staff, especially at senior management levels, should be held accountable for any mismanagement that arises. We have learned from recent press briefings and news articles that several Secretariat officials have been placed on administrative leave based on the findings of an internal audit report of the Office of Internal Oversight Services and pending further investigations. The Group of 77 and China believe that all staff, regardless of their rank, must be accorded due process in the investigations. However, the Group has been informed that none of the Secretariat officials who were suspended were given a copy of the report prior to the administrative action taken against them. This action made it difficult for the staff in question to mount a defence before they were placed on administrative leave. Moreover, since the audit report was primarily focused on the Department of Peacekeeping Operations, it raises a concern as to why similar action was not taken against officials who may have direct supervision and authority over procurement in the Department.

The Group of 77 and China, furthermore, wish to convey their concerns regarding the recent tendency of senior Secretariat officials to commission consultants to conduct studies and produce findings without the prior consultation and approval of the General Assembly. The oversight role of the Assembly should not be replaced by their commissioning of investigations, reviews and studies, in particular where neither the study nor the associated resources have been mandated by the Assembly. At a time when Member States are engaged in strengthening the role of the Office of Internal Oversight Services, such actions seriously undercut and undermine the mandate of that Office regarding the undertaking of audits and investigations. The Group of 77 and China would like to stress that findings in reports received from consultants would have to be presented and evaluated by the Assembly, in particular where they allege that serious deficiencies in the accountability framework exist.

The Group of 77 and China support your effort to promote a culture of ethics in the Organization and wish to urge you to make every effort to curb these unhealthy trends, which are not conducive to the ongoing efforts of Member States and the Secretariat alike to reform and strengthen the Organization. We would like

to emphasize that allegations of wrongdoing must be investigated promptly and dealt with in a fair manner and that due process be observed, in accordance with the established system for the administration of justice.

The Group of 77 and China believe that we would be able to address many of these concerns if we engage in an ongoing dialogue with you. It is only through dialogue that we will be able to resolve these matters and avoid their recurrence in future. We, therefore, look forward to receiving your response to the matters raised in the present letter. The Group of 77 and China, furthermore, wish to add that United Nations reform is important to the entire membership of the Organization. In view of the complexity of the issues and the delicate nature of the process, we believe that it is our collective responsibility to ensure that United Nations reform succeeds. We should not let individual actions, especially by a few senior Secretariat officials, undermine it.

On behalf of the Group of 77 and China, I kindly request that the present letter be distributed as a document of the General Assembly under the relevant agenda items allocated to the Fifth Committee.

(*Signed*) Dumisani S. **Kumalo**
Ambassador
Permanent Representative of the Republic of South Africa
to the United Nations
Chairman of the Group of 77